

# State of Wisconsin



1995 Senate Bill 591

Date of enactment: **June 6, 1996**  
Date of publication\*: **June 20, 1996**

## 1995 WISCONSIN ACT 398

**AN ACT** *to renumber and amend* 46.96 (1) (a); *to amend* 46.96 (1) (b), 46.96 (2) and 49.45 (25) (bg); *to repeal and recreate* 46.96 (2) and 49.45 (25) (bg); and *to create* 46.96 (1) (ad), (am), (ap) and (at) and 46.96 (3m) (am) of the statutes; **relating to:** independent living centers.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 46.96 (1) (a) of the statutes is renumbered 46.96 (1) (ah) and amended to read:

46.96 (1) (ah) "Independent living center" means a community-based public or nonresidential private non-profit, nonresidential program agency that substantially involves the severely disabled individuals it serves in its policy direction and management vests power and authority in individuals with disabilities, that is designed and operated within a local community by individuals with disabilities and that provides directly or indirectly through referral, those an array of independent living services which assist severely disabled individuals to increase personal self-determination and to minimize unnecessary dependence upon others, including independent living core services, on a cross-disability basis.

**SECTION 2.** 46.96 (1) (ad), (am), (ap) and (at) of the statutes are created to read:

46.96 (1) (ad) "Cross-disability basis" has the meaning given under [29 USC 796f-4](#) (b) (2).

(am) "Independent living core services" means information and referral services, independent living skills

training, peer counseling and individual and systems advocacy.

(ap) "Independent living services" has the meaning given under [29 USC 706](#) (30).

(at) "Individual with disability" has the meaning given under [29 USC 706](#) (8) (B).

**SECTION 3.** 46.96 (1) (b) of the statutes is amended to read:

46.96 (1) (b) "Severely disabled individual" means any individual with a severe physical or mental impairment whose ability to function independently in his or her family or community or whose ability to engage or continue obtain, maintain or advance in employment is so substantially limited by the severity of his or her disability that comprehensive or vocational rehabilitation services are required to and for whom the delivery of independent living services will improve significantly either his or her ability to function independently in his or her family or community or his or her ability to engage in employment.

**SECTION 4.** 46.96 (2) of the statutes, as affected by [1995 Wisconsin Act 27](#), section [2349](#), is amended to read:

46.96 (2) The department shall make grants from the appropriation under s. 20.435 (5) (na) or (7) (c) or (kc) to

\* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

independent living centers for nonresidential services to severely disabled persons individuals.

**SECTION 5.** 46.96 (2) of the statutes, as affected by 1995 Wisconsin Act 27, section 2350, and 1995 Wisconsin Act .... (this act), is repealed and recreated to read:

46.96 (2) The department shall make grants from the appropriations under s. 20.435 (7) (c) or (kc) to independent living centers for nonresidential services to severely disabled individuals.

**SECTION 6.** 46.96 (3m) (am) of the statutes is created to read:

46.96 (3m) (am) Notwithstanding par. (a), all of the following apply:

1. Any independent living center that first receives funding under this section after the effective date of this subdivision .... [revisor inserts date], shall comply with requirements that are specified under 29 USC 796f–4.

2. Any independent living center that is receiving funding under this section on the effective date of this subdivision .... [revisor inserts date], shall comply with requirements under 29 USC 796f–4 by July 1, 1998.

**SECTION 7.** 49.45 (25) (bg) of the statutes is amended to read:

49.45 (25) (bg) An independent living center, as defined in s. 46.96 (1) (a) (ah), that is a certified case management provider may elect to provide case management services to one or more of the categories of medical assistance beneficiaries specified under par. (am). The

amount of allowable charges for the services under the medical assistance program that is not provided by the federal government shall be paid from nonfederal, public funds received by the independent living center from a county, city, village or town or from funds distributed under the appropriation under s. 20.435 (5) (bm) or as a grant under s. 46.96.

**SECTION 8.** 49.45 (25) (bg) of the statutes, as affected by 1995 Wisconsin Acts 27 and .... (this act), is repealed and recreated to read:

49.45 (25) (bg) An independent living center, as defined in s. 46.96 (1) (ah), that is a certified case management provider may elect to provide case management services to one or more of the categories of medical assistance beneficiaries specified under par. (am). The amount of allowable charges for the services under the medical assistance program that is not provided by the federal government shall be paid from nonfederal, public funds received by the independent living center from a county, city, village or town or from funds distributed as a grant under s. 46.96.

**SECTION 9. Effective dates.** This act takes effect on the day after publication, except as follows:

(1) The repeal and recreation of sections 46.96 (2) and 49.45 (25) (bg) of the statutes takes effect on July 1, 1996, or on the day after publication, whichever is later.